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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 126745-200402

First Inventor or Application Identifier H. Michael Shepard

Title ENZYME CATALYZED THEREAPEUTIC AGENTS

Express Mail Label No. EL561389906US

02-14-01
PTO/SB/05 (08-00)

APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning design patent application contents.</small>		ADDRESS TO	
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 102]</p> <p>(preferred arrangement set forth below)</p> <ul style="list-style-type: none"> - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C.113) [Total Sheets 8]</p> <p>5. Oath or Declaration [Total Pages 2]</p> <p>a. <input type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) (for a continuation/divisional with Box 17 completed)</p> <p>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>		<p>Assistant Commissioner for Patents Box Patent Application Washington, DC 20231</p> <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Form (CRF)</p> <p>b. Specification Sequence Listing on:</p> <ul style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper <p>c. <input type="checkbox"/> Statements verifying identity of above copies</p>	
ACCOMPANYING APPLICATIONS PARTS			
<p>9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>10. <input checked="" type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input checked="" type="checkbox"/> Power of (when there is an assignee) Attorney</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Other:</p>			

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No: 09/235,961 / Filed 1/22/99
Prior application information: Examiner L.E. Crane Group / Art Unit: 1623

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion of the disclosure is omitted from the submitted application parts.

17. COMMERCIAL ENTITY ADDRESS

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PATENT TRADEMARK OFFICE

Name	Antoinette F. Konski			
	Baker & McKenzie			
Address	660 Hansen Way			
City	Palo Alto	State	California	Zip Code
Country	USA	Telephone	(650) 856-2400	Fax (650) 856-9299

Name (Print/Type)	Antoinette F. Konski	Registration No. (Attorney/Agent)	34,202
Signature			Date February 12, 2001

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 723.00)

Complete if Known

Application Number	To be Assigned
Filing Date	February 12, 2001
First Named Inventor	H. Michael SHEPARD
Examiner Name	To be Assigned
Group / Art Unit	To be Assigned
Attorney Docket No.	126745-200402

JC971 U.S. PTO/12/01
09/780272

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number	50-0974
Deposit Account Name	Baker & McKenzie
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	

2. Payment Enclosed:

<input checked="" type="checkbox"/> Check	<input type="checkbox"/> Credit card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other
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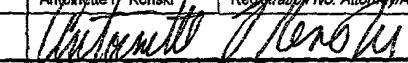
FEE CALCULATION (continued)

Fee Code	3. ADDITIONAL FEES		Fee Description	Fee Paid
	Large Entity (\$)	Small Entity (\$)		
105	130	205	65	Surcharge - late filing fee or oath
127	50	227	25	Surcharge - late provisional filing fee or cover sheet
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for reexamination
112	920*	112	920*	Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action
115	110	215	55	Extension for reply within first month
116	390	216	195	Extension for reply within second month
117	890	217	445	Extension for reply within third month
118	1,390	218	695	Extension for reply within fourth month
128	1,890	228	945	Extension for reply within fifth month
119	310	219	155	Notice of Appeal
120	310	220	155	Filing a brief in support of an appeal
121	270	221	135	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	55	Petition to revive - unavoidable
141	1,240	241	620	Petition to revive - unintentional
142	1,240	242	620	Utility issue fee (or reissue)
143	440	243	220	Design issue fee
144	800	244	300	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	130	123	130	Petitions related to provisional applications
126	180	126	180	Submission of Information Disclosure Stmt
581	40	561	40	Recording each patent assignment per property (times number of properties)
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))
179	710	279	355	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a design application
Other fee (specify) _____				

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

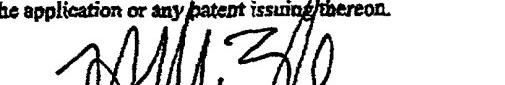
**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete if applicable		
Name (Print/Type)	Antonette F. Konski	Registration No. Attorney/Agent)	34,202	Telephone (650) 856-2400
Signature			Date	February 12, 2001

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PTO/SB/96 (10-92)

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)		Docket No. 366482000400
<p>In the application of: H. Michael Shepard and Michael P. Groziak Serial No.: 09/235,961 Filed: January 22, 1999 For: ENZYME CATALYZED THERAPEUTIC AGENTS</p>		
<p>NewBiotics, Inc., a California corporation certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:</p> <p>A. <input checked="" type="checkbox"/> An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.</p> <p>OR</p> <p>B. <input type="checkbox"/> A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:</p> <p>1. From : To: The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.</p> <p>2. From : To: The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.</p> <p>3. From : To: The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.</p> <p><input type="checkbox"/> Additional documents in the chain of title are listed on a supplemental sheet.</p> <p><input type="checkbox"/> Copies of assignments or other documents in the chain of title are attached.</p>		
<p>The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.</p> <p>The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.</p> <p>I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.</p>		
Dated: <u>4/2/99</u>		 Name: H. Michael Shepard Title: Chief Scientific Officer